

REMARKS

Claims 1, 11, 14, and 21 have been amended to clarify the subject matter regarded as the invention. New claims 28-30 have been added and are fully supported by the specification. Claims 1-6 and 10-23 remain pending.

The Examiner has rejected claims 1-3, 6, 11, and 16 under 35 U.S.C. §102(b) as being anticipated by Sabata et al., *Estimation of Motion from a Pair of Range Images: A Review*, B. Sabata and J. Aggarwal, CVGIP, 54(3): 309-324, Nov. 1991. Claims 4-5, 10, 12-15, 17, and 21-23 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sabata et al. in view of Bregler et al., *Tracking People with Twists and Exponential Maps*, C. Bregler and J. Malik (1998 IEEE Computer Society Conference on Computer Vision and Pattern Recognition, 23-25 June 1998, pp. 8-15).

The rejection is respectfully traversed. As amended, claim 1 recites "...shifting a focus of expansion of the points on the figure by an integer value to non-iteratively improve an accuracy of a constraint...." Neither Sabata et al. nor Bregler et al. disclose a focus of expansion or shifting a focus of expansion of the points on a figure by an integer value in order to non-iteratively improve accuracy of a constraint. Further, Bregler et al. teaches an iterative solution, which teaches away from the claimed invention. (Page 9, section 2.1). Thus, Applicants submit that claim 1 is allowable for the reasons stated above.

Claims 2-6 and 10 depend from claim 1 and are believed to be allowable for the same reasons described above. Claims 11 and 21 were amended similarly and are allowable for the same reasons as those stated for claim 1. As claims 12-20 and 22-23 depend from claims 11 and 21, respectively, these claims are also allowable for the same reasons as those stated above.

Reconsideration of the application and allowance of all claims are respectfully requested based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

Respectfully submitted,



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